



District of Columbia Sentencing Commission

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MINUTES OF VIRTUAL COMMISSION MEETING

September 21, 2021

One Judiciary Square, Suite 430S, Washington, DC 20001

Voting Members in Attendance:

Milton Lee

Juliet McKenna

Danya Dyson

Cedric Hendricks

Molly Gill

Julie Samuels

Renata Cooper

Katerina Semyonova

Non-Voting Members in Attendance:

Diane Strote for Sonya Thompson

Leslie Parsons

Steve Husks

Eric Glover

Staff in Attendance:

Barbara Tombs-Souvey

Mia Hebb

Taylor Tarnalicki

Brittany Bunch

Mehmet Ergun

Basil Evans

Judge Lee called the meeting to order at 5:05 p.m.

Review and Approval of the Minutes from the July 20, 2021 – Action Item, Judge Lee. Minutes approved without objection.

Presentation of Mandatory Minimum Issue Paper – Informational Item, Mehmet Ergun, Statistician

Mr. Ergun presented an overview of the Mandatory Minimum Issue Paper, which included a brief discussion on the following topics:

- Historical Context of Mandatory Minimum Sentences
- Mandatory Minimum Sentences in the District
- Trends in Mandatory Minimum Sentences

Mr. Ergun open the floor for questions from Commission members. Judge Lee commended Mr. Ergun for his efforts.

Presentation of Felon in Possession Fast Facts – Informational Item, Taylor Tarnalicki, Research Analyst

Ms. Tarnalicki presented an overview of the Felon in Possession Fast Facts, which examines sentencing trends for Unlawful Possession of a Firearm sentences that were imposed between October 2018 and June 2021. Ms. Tarnalicki's overview of the findings included:

- Sentencing Related Information
- Criminal History and Compliance
- Offender Demographics

Ms. Tarnalicki opened the floor for questions or suggestions from the Commission members. There were some suggestions from Commission members.

Lapse and Revival Refresher – Informational Item, Barbara Tombs-Souvey, Executive Director

Ms. Tombs-Souvey gave a refresher presentation on the Lapse and Revival sentencing provision to the Commission members, which gave an overview of the approach for calculating an individual's criminal history score. The presentation addressed the following:

- When does a prior Conviction Count for Criminal History Scoring?
- Lapsed Convictions
- Revival of Convictions
- Lapse and Revival: Misdemeanors

Ms. Tombs-Souvey open the floor for questions from the Commission members.

Continued Discussion of the Lapse and Revival Provision – Discussion Item, Judge Lee, Chairman

Continued Discussion of the Lapse and Revival Provision: Judge Lee briefly gave an overview of the of the Guideline's current lapse and revival provision, and then opened up the floor so that Commission members could share any thoughts/ideas that they have in regard to a potential modification of the current provision. The discussion included:

- Establishing a category of offenses that can never lapse
- Expanding the window to 15 years, or reducing it to 5 years, for certain offenses
- Once an offense has lapsed, it cannot be revived
- Begin counting the 10-year window at the time an individual is released from prison, not the end of their supervised release

Judge Lee stated that the Lapse and Revival Provision will be discussed further at the next Commission meeting.

Judge Lee informed the Commission members that the next virtual Commission meeting will be October 19, 2021.

Meeting Adjourned at 6:35pm.

NEXT MEETING:
October 19, 2021
Via ZOOM